



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Courtney M. Malveaux, Commissioner
Department of Labor and Industry

From: Joshua N. Lief
Senior Assistant Attorney General

Date: February 24, 2011

Subject: Letter of Assurance for Proposed Regulations Governing Revised Standard for Cranes and Derricks in Construction and Other Related Standards

I have reviewed the Department of Labor and Industry's proposed Regulations, particularly 16 VAC 175, that were posted on the Virginia Regulatory Town Hall on February 22, 2011. In my view, as counsel to the Department of Labor and Industry, these regulations may be promulgated pursuant to Title 40.1 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.